

County. (Certified copy of deed from Lawrence A. Kennedy and others to Francis L. Kennedy & others, dated June 29, 1954, offered into evidence and marked "Exhibit Deed C.")

Q. How did you acquire the interest of your father, the late Bernard J. Kennedy?

A. My father died on January 14, 1954 and in his will he left his interest in the property on South Market Street to my brother Marvin E. Kennedy and myself in equal shares. (Certified copy of Will of Bernard J. Kennedy deceased, offered into evidence and marked "Exhibit will D.")

Q. What interest do you have in the property at this time?

A. My brother and I own an undivided one-third interest or a one-sixth interest each.

Q. Are all the Defendants adults and residing in Frederick County?

A. Yes.

Q. To what extent is the property susceptible of partition without material loss and injury to all the parties interested in it, that is the property being divided in kind without a sale of it?

A. No it cannot be divided without a sale of it.

Q. Do you feel that it will be necessary and to the best interest of all parties that it be offered at public sale?

A. Yes.

Q. What does the premises at No. 28, 30 & 32 South Market Street consist of?

A. First of all it fronts approximately 40 feet on South Market Street and runs back to the present City Parking Lot. The three buildings have been used since 1928 and even before as a plumbing establishment and it has a brick front. On No. 28 part of the way back it has a three story building; across the rear third of the lot is a one story shed; it has a brick shop building. The second and third story of the buildings are used for storage.

Q. Does this property have a service outlet into the present City Parking Lot?

A. Yes, it does.

Q. In your opinion, what is the value of the property as one unit?

A. \$30,000.00.

Q. What offer, if any, has been made by any of the parties for your interest in the property?

A. None whatsoever.

NO CROSS EXAMINATION.

TO THE GENERAL INTERROGATORY, "NOTHING FURTHER."

SIGNATURE WAIVED BY CONSENT OF COUNSEL.